

PROPOSITION 98

February 3, 2008

Eminent Domain. Limits on Government
Authority. Initiative Constitutional
Amendment.

Proponents: Howard Jarvis Taxpayers
Association

BALLOT LABEL

**EMINENT DOMAIN. LIMITS ON GOVERNMENT AUTHORITY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

Bars state and local governments from taking or damaging private property for private uses. Prohibits rent control and similar measures. Eliminates deference to government in property rights cases. Changes condemnation rules.

Fiscal Impact: Increased costs to many governments due to the measure's restrictions. The net statewide fiscal effect, however, probably would not be significant.

**SUBJECT TO COURT
ORDERED CHANGES**

PROPOSITION 98

February 3, 2008

Eminent Domain. Limits on Government
Authority. Initiative Constitutional
Amendment.
Proponents: Howard Jarvis Taxpayers
Association

BALLOT TITLE AND SUMMARY

**EMINENT DOMAIN. LIMITS ON GOVERNMENT AUTHORITY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

- Bars state and local governments from taking or damaging private property for private uses.
- Prohibits rent control and similar measures.
- Prohibits deference to government in takings cases.
- Defines "just compensation."
- Requires an award of attorneys fees and costs if a property owner obtains a judgment for more than the amount offered by the government.
- Requires government to offer to original owner of condemned property the right to repurchase property at condemned price when property is put to substantially different use than was publicly stated.

**Summary of Legislative Analyst's
Estimate of Net State and Local Government Fiscal Impact:**

- Increased costs to many governments due to the measure's restrictions. The net statewide fiscal effect, however, probably would not be significant.

**SUBJECT TO COURT
ORDERED CHANGES**

PROPOSITION 99

February 3, 2008

Eminent Domain. Limits on Government Acquisition of Owner-occupied Residence. Initiative Constitutional Amendment.

Proponents: Christopher K. McKenzie,
Susan Smartt, Kenneth Willis

BALLOT LABEL

EMINENT DOMAIN. LIMITS ON GOVERNMENT ACQUISITION OF OWNER-OCCUPIED RESIDENCE. INITIATIVE CONSTITUTIONAL AMENDMENT.

Bars use of eminent domain to acquire an owner-occupied residence for conveyance to a private person or business entity. Creates exceptions for public works, public health and safety, and crime prevention.

Fiscal Impact: No significant fiscal impact on state or local governments.

**SUBJECT TO COURT
ORDERED CHANGES**

PROPOSITION 99

February 3, 2008

Eminent Domain. Limits on Government Acquisition of
Owner-occupied Residence. Initiative Constitutional
Amendment.

Proponents: Christopher K. McKenzie,
Susan Smartt, Kenneth Willis

BALLOT TITLE AND SUMMARY

**EMINENT DOMAIN. LIMITS ON GOVERNMENT ACQUISITION OF OWNER-
OCCUPIED RESIDENCE. INITIATIVE CONSTITUTIONAL AMENDMENT.**

- Bars state and local governments from using eminent domain to acquire an owner-occupied residence, as defined, for conveyance to a private person or business entity.
- Creates exceptions for public work or improvement, public health and safety protection, and crime prevention.

**Summary of Legislative Analyst's
Estimate of Net State and Local Government Fiscal Impact:**

- No significant fiscal impact on state or local governments.

**SUBJECT TO COURT
ORDERED CHANGES**